



General Assembly

Amendment

February Session, 2006

LCO No. 5500

HB0527905500SR0

Offered by:

SEN. DELUCA, 32nd Dist.

SEN. MCKINNEY, 28th Dist.

To: Subst. House Bill No. 5279

File No. 622

Cal. No. 453

(As Amended by House Amendment Schedule "A")

**"AN ACT CONCERNING THE RETENTION OF JOBS IN
CONNECTICUT AND THE UNITED STATES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) For purposes of sections 502
4 to 510, inclusive, of this act:

5 (1) "Procurement" means contracting for, buying, purchasing,
6 renting, leasing or otherwise acquiring or disposing of, any supplies,
7 services, including but not limited to, contracts for purchase of services
8 and personal service agreements, interest in real property, or
9 construction, and includes all government functions that relate to such
10 activities, including best value selection and qualification based
11 selection.

12 (2) "Emergency procurement" means procurement by a state agency

13 that is made necessary by a sudden, unexpected occurrence that poses
14 a clear and imminent danger to public safety or requires immediate
15 action to prevent or mitigate the loss or impairment of life, health,
16 property or essential public services or in response to a court order,
17 settlement agreement or other similar legal judgment.

18 (3) "Best value selection" means a contract selection process in which
19 the award of a contract is based on a combination of quality and cost
20 considerations.

21 (4) "Qualification based selection" means a contract selection process
22 in which the award of a contract is primarily based on an assessment
23 of contractor qualifications and on the negotiation of a fair and
24 reasonable price.

25 (5) "State contracting agency" means any state agency or political
26 subdivision of the state, other than the State Contracting Standards
27 Board, as established pursuant to section 502 of this act, that is
28 authorized by law to enter into contracts, including, but not limited to,
29 any quasi-public agency, as defined in section 1-120 of the general
30 statutes, and any state agency, as defined in section 4a-50 of the
31 general statutes, that receives state funds. State contracting agency
32 does not include the Judicial Department or the Joint Committee on
33 Legislative Management.

34 (6) "Contractor" means any person or entity bidding on, submitting
35 a proposal for, applying for or participating as a subcontractor for, a
36 transaction, procurement or contract described in section 503 of this
37 act, including, but not limited to, a small contractor, minority business
38 enterprise, organization providing products and services by persons
39 with disabilities, as described in section 17b-656 of the general statutes,
40 and an individual with a disability, as defined in section 4a-60g of the
41 general statutes.

42 (7) "Contract risk assessment" means (A) the identification and
43 evaluation of loss exposures and risks, including, but not limited to,
44 business and legal risks associated with the contracting process and

45 the contracted goods and services, and (B) the identification,
46 evaluation and implementation of measures available to minimize
47 potential loss exposures and risks.

48 Sec. 502. (NEW) (*Effective from passage*) (a) There is established a
49 State Contracting Standards Board that shall consist of nine members
50 appointed as follows: Five members shall be appointed by the
51 Governor, two members shall be appointed by the speaker of the
52 House of Representatives and two members shall be appointed by the
53 president pro tempore of the Senate whenever the Governor is of a
54 different political party than that which controls both houses of the
55 General Assembly; five members shall be appointed by the Governor
56 and four members appointed by the highest ranking leader of the
57 opposing party of the applicable house of the General Assembly
58 whenever the political party of the Governor also controls only one of
59 the houses of the General Assembly; five members shall be appointed
60 by the Governor, two members by the minority leader of the House of
61 Representatives and two members by the minority leader of the Senate
62 whenever the political party of the Governor controls both houses of
63 the General Assembly; and five members by the Governor, two
64 members by the speaker of the House of Representatives and two
65 members by the president pro tempore of the Senate whenever the
66 Governor is an independent. Each member shall be appointed in
67 accordance with the provisions of section 4-7 of the general statutes
68 and have demonstrated sufficient knowledge by education, training or
69 experience in several of the following enumerated areas: (1)
70 Procurement; (2) contract negotiation, selection and drafting; (3)
71 contract risk assessment; (4) requests for proposals and real estate
72 transactions; (5) business insurance and bonding; (6) the code of ethics;
73 (7) federal and state statutes, policies and regulations; (8) small and
74 minority business; and (9) personnel and union management. Such
75 education, training or experience shall have been acquired over not
76 less than a continuous five-year period and shall have been acquired
77 within the ten-year period preceding such appointment. Nothing in
78 this section shall be construed to prohibit an appointing authority from

79 selecting a member of the general public who has demonstrated an
80 interest in governmental ethics and integrity to serve on the board as
81 such appointing authority's appointee. The chairperson of the board
82 shall be appointed by the members of the board. The terms of the
83 members shall be coterminous with the terms of the appointing
84 authority for each member. If any vacancy occurs on the board, the
85 appointing authorities having the power to make the appointment
86 under the provisions of this subsection shall appoint a person in
87 accordance with the provisions of this subsection.

88 (b) The State Contracting Standards Board shall be an independent
89 body within the Executive Department.

90 (c) The chairperson of the board shall be compensated two hundred
91 dollars per diem up to a maximum of thirty thousand dollars annually.
92 Other members of the board shall be compensated two hundred
93 dollars per diem up to a maximum of twenty-five thousand dollars
94 annually. No person shall serve on the board who holds another state
95 or municipal governmental position and no person on the board nor
96 any spouse, child, stepchild, parent or sibling of such person shall be
97 directly or indirectly involved in any enterprise that does business
98 with the state.

99 (d) The Governor shall appoint an executive director who shall
100 serve as an ex-officio, nonvoting member of the board. The executive
101 director shall be appointed in accordance with the provisions of
102 section 4-7 of the general statutes and may be removed from office for
103 reasonable cause, in accordance with chapter 67 of the general statutes.
104 The board shall, annually, conduct a performance evaluation of such
105 executive director.

106 (e) The board may employ secretaries, real estate examiners,
107 contract specialists, forensic fraud examiners, property and
108 procurement specialists, paralegals, attorneys and such other
109 employees as the board deems necessary, all of whom shall be in the
110 state classified service.

111 (f) The reasonable expenses of the State Contracting Standards
112 Board and its employees shall be paid from the budget of the board
113 upon the approval of the board.

114 (g) No employee of the State Contracting Standards Board shall
115 hold another state or municipal position, nor shall any such employee
116 or any nonclerical employee or any spouse, child, stepchild, parent or
117 sibling of such employee of the board be directly or indirectly involved
118 in any enterprise that does business with the state. Each member and
119 employee of the State Contracting Standards Board shall file, with the
120 board and with the Office of State Ethics, a financial statement
121 indicating all sources of business income of such person in excess of
122 one thousand dollars, and the name of any business with which such
123 member or employee is associated, as defined in subsection (b) of
124 section 1-79 of the general statutes. Such statement shall be a public
125 record. Financial statements for the preceding calendar year shall be
126 filed with the office on or before April fifteenth of each year if such
127 employee or member held such a position during the preceding
128 calendar year.

129 (h) Any violation of the provisions of subsection (c) or (g) of this
130 section shall constitute a violation of part I of chapter 10 of the general
131 statutes and may be the subject of a complaint and investigation filed
132 and conducted in accordance with the provisions of section 1-82 of the
133 general statutes.

134 (i) The board shall adopt such rules as it deems necessary for the
135 conduct of its internal affairs, in accordance with section 4-167 of the
136 general statutes, including, but not limited to, rules of procedure for
137 any appeal taken pursuant to section 510 of this act and any review
138 undertaken pursuant to section 512 of this act.

139 (j) Six members of the board shall constitute a quorum which shall
140 be required for the transaction of business by the board.

141 Sec. 503. (NEW) (*Effective from passage*) (a) On or before January 1,
142 2007, the State Contracting Standards Board shall prepare a uniform

143 procurement code applicable to state contracting agency expenditures,
144 including, but not limited to, expenditures: (1) By municipalities that
145 receive state funds, (2) involving any state contracting and
146 procurement processes, including, but not limited to, leasing and
147 property transfers, purchasing or leasing of supplies, materials or
148 equipment, as defined in section 4a-50 of the general statutes,
149 consultant or consultant services, as defined in section 4b-55 of the
150 general statutes, personal service agreements, as defined in section 4-
151 212 of the general statutes, purchase of service agreements or
152 privatization contracts, and (3) relating to contracts for the
153 construction, reconstruction, alteration, remodeling, repair or
154 demolition of any public building. Nothing in this section shall be
155 construed to require the application of uniform procurement code
156 procedures when such procurement involves the expenditure of
157 federal assistance or contract funds and federal law provides
158 applicable procurement procedures to the extent such procedures are
159 inconsistent with the uniform procurement code.

160 (b) The uniform procurement code described in subsection (a) of
161 this section shall be designed to: (1) Establish uniform contracting
162 standards and practices among the various state contracting agencies;
163 (2) simplify and clarify the state's laws governing contracting
164 standards and procurement policies and practices, including, but not
165 limited to, procedures for competitive sealed bids, competitive sealed
166 proposals, small purchases, sole source procurements, emergency
167 procurements and special procurements; (3) ensure the fair and
168 equitable treatment of all businesses and persons who deal with the
169 procurement system of the state; (4) include a process to maximize the
170 use of small contractors and minority business enterprises, as defined
171 in section 4a-60g of the general statutes; (5) provide increased economy
172 in state procurement activities and maximize purchasing value to the
173 fullest extent possible; (6) ensure that the procurement of supplies,
174 materials, equipment, services, real property and construction required
175 by any state contracting agency is obtained in a cost-effective and
176 responsive manner; (7) preserve and maintain the existing contracting,

177 procurement, disqualification and termination authority and discretion
178 of any state contracting agency when such contracting and
179 procurement procedures represent best practices; (8) include a process
180 to improve contractor and state contracting agency accountability; (9)
181 establish standards for leases and lease-purchase agreements and for
182 the purchase and sale of real estate; and (10) provide a process for
183 competitive sealed bids, competitive sealed proposals, small
184 purchases, sole source procurements, emergency procurements,
185 special procurements, best value selection, qualification based
186 selection and the conditions for their use.

187 (c) In preparing the uniform procurement code described in
188 subsection (a) of this section, the State Contracting Standards Board
189 shall conduct a comprehensive review of existing state contracting and
190 procurement laws, regulations and practices and shall utilize existing
191 procurement procedures and guidelines that the board deems
192 appropriate.

193 (d) Upon request by the State Contracting Standards Board, each
194 state contracting agency engaged in procurement shall provide the
195 board, in a timely manner, with such procurement information as the
196 board deems necessary. The board shall have access to all information,
197 files and records related to any state contracting agency in furtherance
198 of this purpose. Nothing in this section shall be construed to require
199 the board's disclosure of documents that are exempt from disclosure
200 pursuant to chapter 14 of the general statutes or that may be protected
201 from disclosure under claim of an attorney-client privilege.

202 (e) Such uniform procurement code shall be submitted to the
203 General Assembly for its approval. The board shall file such code with
204 the clerks of the House of Representatives and the Senate not later than
205 January 15, 2007, and not later than January 20, 2007, the speaker of the
206 House of Representatives and the president pro tempore of the Senate
207 shall submit such code to the joint standing committee of the General
208 Assembly having cognizance of matters relating to government
209 administration. Said committee shall hold a public hearing on such

210 code and shall report its recommendations, including any changes
211 thereto, to the House of Representatives and the Senate concerning the
212 approval or rejection of the code. The General Assembly shall take a
213 vote on such code not later than the end of the 2007 regular session.

214 Sec. 504. (NEW) (*Effective July 1, 2007*) In addition to the preparation
215 of the uniform procurement code described in section 503 of this act,
216 the duties of the State Contracting Standards Board shall include:

217 (1) Recommending the repeal of repetitive, conflicting or obsolete
218 statutes concerning state procurement;

219 (2) Developing, publishing and maintaining the uniform
220 procurement code for all state contracting agencies;

221 (3) Assisting state contracting agencies in complying with the code
222 by providing guidance, models, advice and practical assistance to state
223 contracting agency staff relating to: (A) Buying the best service at the
224 best price, (B) properly selecting contractors, and (C) drafting contracts
225 that achieve state goals and protect taxpayers' interest;

226 (4) Reviewing and certifying that a state contracting agency's
227 procurement processes are in compliance with the code;

228 (5) Triennially, recertifying each state contracting agency's
229 procurement processes and providing agencies with notice of any
230 certification deficiency and exercising authority as provided under
231 section 6 of this act if a determination of noncompliance is made;

232 (6) Defining the training requirements for state contracting agency
233 procurement professionals;

234 (7) Monitoring implementation of the state contracting portal and
235 making recommendations for improvement to the Department of
236 Administrative Services;

237 (8) Defining the contract data retention requirements for state
238 agencies concerning retention of information on: (A) The number and

239 type of state contracts currently in effect state-wide, (B) the dollar
240 value of such contracts, (C) a list of client agencies, (D) a description of
241 services purchased under such contracts, (E) contractor names, and (F)
242 an evaluation of contractor performance, and assuring such
243 information is available on the state contracting portal;

244 (9) Providing the Governor and the joint standing committee of the
245 General Assembly having cognizance of matters relating to
246 government administration with recommendations concerning the
247 uniform procurement code; and

248 (10) Approving an ethics training course for state employees
249 involved in procurement and for state contractors and substantial
250 subcontractors who are prequalified pursuant to the provisions of
251 section 4a-100 of the general statutes. Such ethics training course may
252 be developed and provided by the Office of State Ethics or by any
253 person, firm or corporation provided such course is approved by the
254 State Contracting Standards Board.

255 Sec. 505. (NEW) (*Effective October 1, 2007*) (a) The State Contracting
256 Standards Board shall triennially conduct audits of state contracting
257 agencies to ensure compliance with the uniform procurement code. In
258 conducting such audit, the State Contracting Standards Board shall
259 have access to all contracting and procurement records, may interview
260 personnel responsible for contracting, contract negotiation or
261 procurement and may enter into an agreement with the State Auditors
262 of Public Accounts to effectuate such audit.

263 (b) Upon completion of any such audit, the State Contracting
264 Standards Board shall prepare and issue a compliance report for such
265 state contracting agency. Such report shall identify any process or
266 procedure that is inconsistent with the uniform procurement code and
267 indicate those corrective measures the board deems necessary to
268 comply with code requirements. Such report shall be issued and
269 delivered not later than thirty days after completion of such audit and
270 shall be a public record.

271 (c) After notice and hearing, the State Contracting Standards Board
272 may restrict the authority of any state contracting agency to enter into
273 any contract or procurement agreement if the board, upon a vote of
274 two-thirds of the members of the board present and voting for such
275 purpose, determines that such state contracting agency failed to
276 comply with statutory contracting and procurement requirements, and
277 evidenced a reckless disregard for applicable procedures and policy
278 and such limitation or restriction is in the state's best interest. Such
279 limitation or restriction shall remain in effect until such time as the
280 board determines that such state contracting agency has implemented
281 corrective measures and demonstrated compliance with code
282 requirements.

283 Sec. 506. (NEW) (*Effective October 1, 2007*) For cause, the State
284 Contracting Standards Board may review or terminate any contract or
285 procurement agreement undertaken by any state contracting agency
286 after providing fifteen days notice to the state contracting agency and
287 the applicable contractor, and consulting with the Attorney General.
288 Such termination of a contract or procurement agreement by the board
289 may occur only upon a vote of two-thirds of the members of the board
290 present and voting for that purpose. Such action shall be accompanied
291 by notice to the state contracting agency and any other affected party.
292 For the purpose of this section, "for cause" means: (1) A violation of
293 section 1-84, 1-86e or 4a-100 of the general statutes, (2) wanton or
294 reckless disregard of any state contracting and procurement process by
295 any person substantially involved in such contract or state contracting
296 agency, or (3) notification from the Attorney General to the state
297 contracting agency that an investigation pursuant to section 4-61dd of
298 the general statutes indicates that the process by which such contract
299 was awarded was compromised by fraud, collusion or other serious
300 ethical improprieties.

301 Sec. 507. (NEW) (*Effective October 1, 2007*) (a) After reasonable notice,
302 a hearing and consultation with the relevant state contracting agency
303 and the Attorney General, the State Contracting Standards Board may
304 disqualify any contractor, for a period of up to five years, from bidding

305 on, applying for, or participating as a subcontractor under, contracts
306 with the state. Such disqualification shall be upon the vote of two-
307 thirds of the members of the board present and voting for that
308 purpose. Such hearing shall be conducted in accordance with chapter
309 54 of the general statutes. The board shall issue a written decision not
310 later than ninety days after the conclusion of such hearing and state in
311 the decision the reasons for the action taken and, if the contractor is
312 being disqualified, the period of such disqualification. The existence of
313 a cause for disqualification, as described in subsection (b) of this
314 section, may not be the sole factor to be considered by the board in
315 determining whether the contractor shall be disqualified. In
316 determining whether to disqualify a contractor, the board shall
317 consider the seriousness of the contractor's acts or omissions and any
318 mitigating factors. The board shall send the decision to the contractor
319 by certified mail, return receipt requested. The written decision shall
320 be a final decision for purposes of sections 4-180 and 4-183 of the
321 general statutes.

322 (b) Causes for such disqualification shall include the following:

323 (1) Conviction of, or entry of a plea of guilty or nolo contendere or
324 admission to, the commission of a criminal offense as an incident to
325 obtaining or attempting to obtain a public or private contract or
326 subcontract, or in the performance of such contract or subcontract;

327 (2) Conviction of, or entry of a plea of guilty or nolo contendere or
328 admission to, the violation of any state or federal law for
329 embezzlement, theft, forgery, bribery, falsification or destruction of
330 records, receiving stolen property or any other offense indicating a
331 lack of business integrity or business honesty which affects
332 responsibility as a state contractor;

333 (3) Conviction of, or entry of a plea of guilty or nolo contendere or
334 admission to, a violation of any state or federal antitrust, collusion or
335 conspiracy law arising out of the submission of bids or proposals on a
336 public or private contract or subcontract;

337 (4) Accumulation of two or more suspensions pursuant to section
338 508 of this act within a twenty-four-month period;

339 (5) A wilful failure to perform in accordance with the terms of one
340 or more contracts;

341 (6) A wilful violation of a statutory or regulatory provision or
342 requirement applicable to a contract;

343 (7) A wilful or egregious violation of the ethical standards set forth
344 in sections 1-84, 1-86e or 4a-100 of the general statutes; or

345 (8) Any other cause the board determines to be so serious and
346 compelling as to affect responsibility as a state contractor, including,
347 but not limited to: (A) Disqualification by another state for cause, (B)
348 the fraudulent, criminal or seriously improper conduct of any officer,
349 director, shareholder or employee of such contractor, provided such
350 conduct occurred in connection with the individual's performance of
351 duties for or on behalf of such contractor and such contractor knew or
352 had reason to know of such conduct, or (C) the existence of an
353 informal or formal business relationship with a contractor who has
354 been disqualified from bidding on state contracts.

355 (c) Upon written request by the affected state contractor, the State
356 Contracting Standards Board may reduce the period or extent of
357 disqualification for a contractor if documentation supporting any of
358 the following reasons for modification is provided to the board by the
359 contractor:

360 (1) Newly discovered material evidence;

361 (2) Reversal of the conviction upon which the disqualification was
362 based;

363 (3) Bona fide change in ownership or management; or

364 (4) Elimination of other causes for which the disqualification was
365 imposed.

366 Sec. 508. (NEW) (*Effective October 1, 2007*) (a) After reasonable notice
367 and a hearing, conducted in accordance with the provisions of chapter
368 54 of the general statutes, a state contracting agency may suspend any
369 contractor for a period of not more than six months from bidding on,
370 applying for or performing work as a subcontractor under, contracts
371 with the agency. The commissioner or director of any such state
372 contracting agency shall issue a written decision not later than ninety
373 days after the conclusion of such hearing and state in the decision the
374 reasons for the action taken and, if the contractor is being suspended,
375 the period of such suspension. The existence of a cause for suspension,
376 as described in subsection (b) of this section, may not be the sole factor
377 to be considered by the agency in determining whether the contractor
378 shall be suspended. In determining whether to suspend a contractor,
379 the state contracting agency shall consider the seriousness of the
380 contractor's acts or omissions and any mitigating factors. The
381 commissioner or director of the state contracting agency shall send
382 such decision to the contractor by certified mail, return receipt
383 requested. Such decision shall be a final decision for purposes of
384 sections 4-180 and 4-183 of the general statutes.

385 (b) Causes for such suspension shall include the following:

386 (1) Failure without good cause to perform in accordance with
387 specifications or within the time limits provided in the contract;

388 (2) A record of failure to perform or of unsatisfactory performance
389 in accordance with the terms of one or more contracts, provided failure
390 to perform or unsatisfactory performance caused by acts beyond the
391 control of the contractor shall not be considered to be a basis for
392 suspension;

393 (3) Any cause the state contracting agency determines to be so
394 serious and compelling as to affect the responsibility of a state
395 contractor, including suspension by another state contracting agency
396 for cause; or

397 (4) A violation of the ethical standards set forth in sections 1-84, 1-

398 86e and 4a-100 of the general statutes.

399 (c) The state contracting agency may grant an exception permitting
400 a suspended contractor to participate in a particular contract or
401 subcontract upon a written determination by the commissioner or
402 director of the state contracting agency that there is good cause for
403 such exception and that such exception is in the best interest of the
404 state.

405 Sec. 509. (NEW) (*Effective October 1, 2007*) (a) Any bidder on a state
406 contract may contest the solicitation or award of a contract to the
407 commissioner of the state agency that awarded such contract. Such
408 contest shall be submitted, in writing, not later than fourteen days after
409 such bidder knew or should have known of the facts giving rise to
410 such contest and shall be limited to the procedural elements of the
411 solicitation or award process, or claims of an unauthorized or
412 unwarranted, noncompetitive selection process.

413 (b) The commissioner or director of such state contracting agency, or
414 the commissioner's or director's designee, shall have the authority to
415 settle and resolve any such contest.

416 (c) In the event such contest is not resolved by mutual agreement,
417 the commissioner or director of a state contracting agency, or the
418 commissioner's or director's designee, shall issue a decision, in writing,
419 not later than thirty days after receipt of any such contest. Such
420 decision shall:

421 (1) Describe the procedure used by such agency in soliciting and
422 awarding such contract;

423 (2) Indicate such agency's finding as to the merits of such bidder's
424 contest; and

425 (3) Inform such bidder of the right to appeal, as provided in section
426 510 of this act.

427 (d) A copy of such decision shall be provided to such bidder.

428 Sec. 510. (NEW) (*Effective October 1, 2007*) (a) Any bidder may
429 appeal a decision issued by the commissioner or director of a state
430 contracting agency, or the commissioner's or director's designee,
431 pursuant to subsection (c) of section 509 of this act to the State
432 Contracting Standards Board.

433 (b) Any such appeal shall be filed with the board not later than
434 fourteen days after such bidder's receipt of a decision issued pursuant
435 to subsection (c) of section 509 of this act. Such bidder shall set forth
436 the facts supporting its claim in sufficient detail for the State
437 Contracting Standards Board to determine whether the procedural
438 elements of the solicitation or award failed to comply with the code or
439 whether an unauthorized or unwarranted, noncompetitive selection
440 process was utilized.

441 (c) No appeal filed pursuant to subsection (b) of this section shall be
442 deemed to prohibit the award or execution of any such contested
443 contract.

444 (d) The State Contracting Standards Board shall create a three-
445 member appeals review subcommittee, which shall review any appeal
446 filed pursuant to subsection (b) of this section and decide whether such
447 solicitation or award was in compliance with the code, and whether
448 allegations of an unauthorized or unwarranted, noncompetitive
449 selection process have been demonstrated. A unanimous vote of such
450 subcommittee shall be dispositive of any such appeal. A split vote of
451 such subcommittee shall result in a review of the appeal by the full
452 membership of the board which, by a vote of two-thirds of its
453 members present and voting for such purpose, shall decide whether
454 the solicitation or award of such contract was in compliance with the
455 code and whether allegations of an unauthorized or unwarranted,
456 noncompetitive selection process have been demonstrated.

457 (e) Such appeals review subcommittee shall issue a written decision
458 or take other appropriate action on each appeal not later than ninety
459 days after the filing of such appeal. A written copy of any such

460 decision shall be provided to such bidder.

461 (f) In the event of an appeal review by the full board, the board shall
462 issue a written decision or take other appropriate action on such
463 appeal not later than ninety days after receipt of the appeal from the
464 appeals review subcommittee. A written copy of any such decision
465 shall be provided to such bidder.

466 (g) In the event that the appeals review subcommittee or the board
467 determines that a procedural violation occurred, or that allegations of
468 an unauthorized or unwarranted, noncompetitive selection process
469 have been demonstrated, the board shall direct the state contracting
470 agency to take corrective action not later than thirty days after the date
471 of the subcommittee's or board's decision, as applicable.

472 (h) In the event such appeal is found to be frivolous by the appeals
473 review subcommittee or the full board, such frivolous appeal may
474 serve as a basis for disqualification pursuant to section 507 of this act.

475 (i) Any three members of the board may request a full board review
476 of any contract deliberation or award process of a state contracting
477 agency.

478 (j) A decision issued by the board or appeals review subcommittee
479 under this section shall be final and not subject to appeal under
480 sections 4-180 and 4-183 of the general statutes.

481 Sec. 511. (NEW) (*Effective October 1, 2007*) There is established a
482 Contracting Standards Advisory Council, which shall consist of nine
483 state contracting agency representatives designated by the Governor,
484 including at least one representative from each of the following: The
485 Department of Administrative Services, the Department of
486 Transportation and the Department of Public Works. The advisory
487 council shall meet at least once a year to discuss problems with
488 procurement processes and to make recommendations for
489 improvements to the State Contracting Standards Board. The advisory
490 council may conduct studies, research and analyses and make reports

491 and recommendations with respect to subjects or matters within the
492 jurisdiction of the State Contracting Standards Board.

493 Sec. 512. (NEW) (*Effective October 1, 2007*) (a) On and after October 1,
494 2007, the powers, duties, obligations and other governmental functions
495 of the State Properties Review Board, established under subsection (a)
496 of section 4b-3 of the general statutes, shall transfer to the State
497 Contracting Standards Board, established under section 502 of this act.
498 The powers, duties, obligations and other governmental functions of
499 the State Properties Review Board, shall thereafter vest in the State
500 Contracting Standards Board, in accordance with the provisions of
501 sections 4-38d and 4-39 of the general statutes.

502 (b) On or before October 1, 2007, the State Contracting Standards
503 Board shall establish a three-member subcommittee of the board to be
504 known as the state properties review subcommittee to perform the
505 duties described under subsection (a) of this section. The
506 subcommittee shall perform the duties established under subsection
507 (a) of this section in accordance with the rules and procedures
508 established by the board pursuant to subsection (i) of section 502 of
509 this act. The State Contracting Standards Board shall constitute a
510 successor department to the State Properties Review Board in
511 accordance with the provisions of sections 4-38d and 4-39 of the
512 general statutes.

513 Sec. 513. Subdivision (19) of subsection (d) of section 2c-2b and
514 section 4b-3 of the general statutes are repealed. (*Effective October 1,*
515 *2007*)"